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ABSTRACT

The goal of this paper is to develop ways that the relationships among law, society, and the broader environment can be incorporated into the liberal arts curriculum through law and society courses. Based on personal experience, the four central problems of technique and content which confront the instructor when trying to introduce environmental law into a law and society course are discussed. The four problems are: (1) The liberal arts and law--where lies the balance? (2) Selecting a strategy; (3) What are the key concepts? and (4) Instructional strategies. The six key areas that should be a part of the instructor's syllabus are identified: they are philosophy, law creation, social control, pollution, solid and hazardous wastes, and accident and risk. A 52-item reference list of suggestions for further reading, organized into several subject areas, is put forth. (DB)

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Bulletin

American Bar Association ABA Commission on College and University Nonprofessional Legal Studies

Environmental Law in the Undergraduate Liberal Arts Curriculum: Strategies and Recommendations

by William Clements

The environment has become increasingly important as an area of scholarly inquiry, public policy and social action in recent decades, both by design and accident. Few communities and nations remain untouched by the environmental contamination, disasters or accidents that have captured our contemporary consciousness. The sustained attention of the past two decades suggests that a real struggle is underway, and that long term consideration of the environment is developing as a necessity, rather than as an intellectual curiosity or social fad.

The focus of this paper is to develop several ways that the relationship between law, society and the broader environment can be incorporated into the liberal arts curriculum through law and society courses. The ability of law to regulate behavior and serve as the "glue" of environmental protection must be carefully studied if it is to be appropriately understood and effectively applied to public policy problems such as growth management, solid and hazardous waste disposal, and pollution.

Environmental legal studies are critical at all levels of inquiry because contemporary environmental problems, many of which are as yet unforeseen, will increasingly require complex social, economic and legal solutions. A liberal education should provide the tools for future generations to help deal with these problems. It is essential that understanding of the environment and its relationship to human activity at all levels be introduced into the curriculum, if for no other reason than to provide an informed and educated graduate.

I have found that introduction of environmental law into the liberal arts curriculum can be done without "compromising" the curriculum for what some might view as an infatuation with a fad. Generally, the literature on environmental law has expanded tremendously during the past decade as researchers from a variety of disciplines have undertaken an environmental agenda. Perhaps the most serious concern for instructors is finding the appropriate material from what is quickly becoming a burgeoning set of resources.

What is most amazing about environmental law is that it interfaces with a rather broad body of literature; social sciences, literature, economics, philosophy, and the natural sciences all address fundamental questions and contribute to the broader corpus of environmental law. Even more important, the research and scholarly literature, as well as case law, has developed rather well in the intervening two decades since Earth Day. Natural and social scientists, philosophers and writers of all types have tackled many of the same questions from different perspectives, allowing one to choose materials for a wide range of liberal arts courses. The issues raised in this literature are central to the human condition and are clearly not a fad or passing curiosity; they are real and multidimensional.

The initial step for those who wish to incorporate environmental law into their courses is to define what subject areas constitute environmental law. A variety of environmental law case books and legal texts are widely available and offer a good summary of the subject area, although they are generally not suitable for most courses because of their technical nature.

One helpful series is the annual *Environmental Law Handbook*, which provides an overview of federal environmental law, albeit in a somewhat technical format. Another useful guide is the West Publishing Company's *Environmental Law Statutes* (Educational Edition), which is used in many law schools and provides a good compilation of extant federal law should one wish to consult the major statutes. (For brief but readable summaries of 70 federal environmental statutes, see Freed-

man, 1987.) As with most nationally published legal texts and series, state statutes and secondary sources should be consulted for study of local environmental law.

Unfortunately, very few non-technical environmental law texts are available. Perhaps one of the better texts in the area is Firestone and Reed's (1983, supp. 1990) *Environmental Law for Non-Lawyers,* which I used successfully in my law and society course. Unlike legal texts, Firestone and Reed frame the discussion of environmental law with relevant policy perspectives and technical-scientific information, where necessary. The text does not provide an in-depth analysis of law creation, implementation or effectiveness, although it does an excellent job of introducing the substance of the law and raising key issues of environmental regulation. [The text was originally written in 1983, but was updated with a supplemental section in late 1990.]

An introduction to environmental law should begin with two fundamental questions: what is environmental law and why should we study it? My experience suggests that a basic understanding of the philosophy and content of environmental law is crucial for an informed discussion of specific environmental problems and relevant legal regulation.

As diverse as environmental law appears, there are several core areas commonly found in legal texts and ancillary readings, including pollution, solid waste and resource recovery, toxic substances, energy policy and renewable resources, land use and growth management, environmental "accidents," environmental law enforcement, and in some cases population control. A word of caution: environmental law is such a vast and complex area that you must be selective and focused in your approach. I devoted three full weeks of a fifteen week semester to environmental law, and was not able to cover all of these areas as I had planned.

How to introduce environmental law into a law and society course confronted me with four central problems regarding technique and content. Specifically, what is the appropriate balance between law and the liberal arts? What strategies should I use to introduce the subject? What key concepts should students learn and retain? What instructional techniques might best convey these concepts? Each of these planning problems are addressed below.

Problem Number One: The Liberal Arts and Law– Where Lays the Balance?

Perhaps the first problem one must face is how much "law" will be used for teaching, and what form this law will take. Those who teach law and society courses may have already developed an appropriate balance between a legal and social scientific approach. However, I would argue that environmental law requires a closer look at this issue primarily because students have little knowledge of either statutory or case law regarding the environment. In contrast, my experience has been that students finding their way into a law and society course have already been exposed to basic constitutional law, criminal justice, or a specific law course (e.g. criminal, business).

It is important that students have a basic knowledge of extant environmental statutes and the behaviors they attempt to regulate. One pedagogical goal of the unit should be a basic literacy in major environmental statutes such as the Resource Conservation and Recovery Act (and its amendments), the Clean Air Act, and the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (the "superfund" act).

A good example of a statutory requirement that has become part of our national vocabulary and legal system, and the basis for many law suits, is the environmental impact statement (EIS). The requirements of the EIS outlined in the National Environmental Policy Act of 1969 (NEPA), one of the first major environmental statutes, provide fertile ground for discussion of the utility of a legal requirement that environmental impacts and alternatives be considered in new development projects. One of the first major cases to test the EIS requirement was *Calvert Cliffs Coordinating Committee, Inc. v. U.S. Atomic Energy Commission* (1971), which raised a number of questions about the priority of the EIS and autonomy of governmental regulatory agencies to determine environmental standards.

Major environmental cases have proliferated since the "environmental decade" (1970's) and will continue to be a salient part of the court docket at all levels of the judicial system. An excellent collection of environmental cases and discussion of their significance is found in Hoban and Brooks' book, *Green Justice: The Environment and the Courts* (1987). The authors provide a brief but comprehensive analysis of the environmental movement and the courts, as well as studies of fourteen key cases in environmental law decided between 1970 and the mid-1980's. The text is quite useful in that it provides study questions, a glossary and selected bibliography. A similar book by Wenner (1982) also summarizes major cases and the courts' role in environmental law during the 1970's, although the book is a bit more dated than Hoban and Brooks.

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Sierra Club v. Morton, Secretary of the Interior, et al. (1972) is another classic case well documented by Christopher Stone in the well known *Should Trees Have Standing? Toward Legal Rights for Natural Objects* (1988). Stone's book is a worthy addition to the reading list because it addresses several issues which are of persistent vitality to environmental law generally, and, more specifically, to such movements as animal rights. The book contains a treatise on the concept of standing and legal rights, as well as the text of the decision and famous dissent by Justice William O. Douglas, who held that environmental objects should have standing.

Used in conjunction with statutory law, case law is an excellent pedagogical tool. I agree with Kagan (*Focus*, Spring 1986)that the use of cases to introduce concrete disputes and the policy questions they beg will, as he says, "galvanize" students into the search for answers. Social scientific and philosophical questions will naturally emerge in the assessment of the origin, causes, and resolution of environmental disputes. The careful selection of a few cases for use in the college classroom will bolster discussion and should raise issues which illuminate the critical relationship between law and the sciences.

Problem Number Two: Selecting a Strategy

The next problem in fitting environmental law into your course is to decide how you will make room for a new topic! The two major organizational strategies available are to treat the subject as a special unit or integrate it into your existing course structure; both methods have advantages and disadvantages.

It is likely that one would want to introduce the material in a separate unit on environmental law; a method which has the advantage of concentrated and sustained study. The unit approach facilitates a deeper study of the issues and perhaps allows for the use of full-length studies and books, of which there are many excellent choices. However, a new "environmental unit" may come at the expense of equally important material, as it has for me.

A viable alternative is to integrate environmental law with other aspects of the course. In my experience the major advantage of this approach is that it involves less disruption and capitalizes on the ability of environmental law to fit nicely into most conceptual areas of the typical law and society course. The next section identifies major concepts and related readings, many of which may be easily integrated with existing course structure.

Problem Number Three: What are the Key Concepts?

Listed below is a "core" of six topical areas and references that might be included in your syllabus. The core and citations are not meant to be exclusive or exhaustive, although they loosely constitute areas that should be covered when delving into environmental law in social science courses.

1. Philosophy

Perhaps the first area one should investigate, and one that overlaps with conventional legal studies, is the philosophy of environmental law. A variety of environmental readings may be used to introduce basic perspectives on the purpose and functions of law, as well as fundamental concepts of law, justice and the environment. Among the more important concepts that will need to be developed are the nature of rights, relationship between ecology and law, and the specific purposes and goals of environmental law.

I usually begin an exploration of law with Lon Fuller's Case of the Speluncean Explorers, although I could easily use *Sierra Club v. Morton* and Stone's *Trees* piece as actual environmental cases that provoke one to consider the expansion of, and creative use of, rights to non-human entities. Related useful works include thought provoking pieces by Wenz (1988) and Sagoff (1988; 1987). Additional arguments to restructure the relationship between people and animals are articulated by Regan (1983) and Singer (1977), both of whom essentially call for the expansion of certain protective rights to animals. Another useful resource is *Environmental Ethics*, a scholarly journal devoted to the integration of philosophy, ethics and environmental studies.

A second question that generally falls under the philosophy of environmental law revolves around the philosophical and empirical relationship between law and ecology. Specifically, to what extent does and should the law follow economic interests rather than ecological principles? To address this question it is important that one have a basic understanding of ecology and its history in American law.

A variety of "background" works are available which provide a good history of ecology and environmentalism in the U.S. I highly recommend Manes' (1990) recent book, *Green Rage*, a history of environmental movements in the U.S. Manes also discusses the "green" movement. This book is well written and is appropriate for undergraduate or graduate courses; it also contains an excellent selected bibliography. Other important sources are Nash's historical studies of environmental ethics (1989) and the evolution of the "wilderness" concept in American consciousness and policy (1967).

The principles of deep ecology underlie much of the thinking about and critique of extant environmental law. Deep ecology generally refers to the perspective that fundamental changes in human relations with the natural world are necessary for the long term survival of humankind and the entire ecosystem. To learn more about deep ecology, one could seek out recent ecology textbooks, the original article by Naess (1973; 1988) in which he coined the term, or other pieces such as Hinchman and Hinchman (1990), which explore the relationship between deep ecology and the concept of natural rights.

Environmental law has regulatory, distributive, and protective purposes which have shifted in importance over time. The public trust doctrine, which maintains that government is a trustee for natural resources and must protect them for the public good, is an example of how older legal concepts

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have been adapted to extant environmental challenges. Joseph Sax (1970) is recognized as having written a seminal law review article on the doctrine; a recent article examines the extent to which the doctrine has been expanded by state court decisions (see Lawler and Parle, 1989).

2. Law Creation

A second major concept area shared between environmental law and other legal studies is the question of law creation. Specifically, how are environmental laws developed and what factors influence their creation? Competing theories of law creation can be applied to environmental laws rather easily in the typical law and society course. Many of the historical works cited above are useful for sketching the basic path of environmental law development, but typically do not systematically study the law creation process from a sociological perspective.

Scattered throughout the literature are pedagogically useful case studies of law creation for specific problems such as air and water pollution. For example, Ackerman and Hassler (1981) have written a good case study of law creation and the nature of special interests in regulating pollution; they examine the compromise of the Clean Air Act to high sulfur coal producers and power plants. Yeager's (1991) recent study of water pollution law and regulation also provides some insight into the development and implementation of environmental law. For those wishing to use primary sources or foster student research, consult the legislative histories of environmental statutes and congressional/legislative records.

3. Social Control

A third major interface between environmental law and traditional socio-legal studies broadly falls under the concept of social control; including related concerns with implementation, enforcement, and effectiveness.

A focal dilemma for current environmental law is the extent to which it protects the environment in a meaningful fashion. Environmentalists claim that extant law does little to protect the environment and much to promote industry, while industrial and business interests dispute the magnitude of their environmental impact and claim that law creates unnecessary regulation and liabilities for business.

Which perspective is most accurate? Fortunately, a number of researchers have taken up the question of social control and regulation in environmental law. DiMento's book, *Environmental Law and American Business* (1986), presents an overview of the compliance problem, mechanisms for controlling behavior, an analysis of organizational behavior, and several proposals for "making environmental law work." A more recent article by DiMento (1989) explores many of the same ideas and calls for an integrated approach to understanding and designing environmental regulatory systems.

A variety of additional resources are available, all of which seek to understand the social, political and economic factors affecting the implementation and effectiveness of environmental law. Yeager's (1991) study of water pollution law is useful to illustrate the history of law, as well as associated implementation problems such as structural enforcement biases which favor larger businesses. Along the same lines of inquiry Hawkins (1984) investigates the role of criminal law in water pollution cases, Durant (1985) studies the interaction between government bureaucracies (TVA and EPA) when one attempts to regulate the other, and Liroff (1986) presents a comprehensive description and analysis of the Environmental Protection Agency (EPA) "bubble" policy. (The "bubble" policy attempts to regulate overall national air quality by selectively allowing polluting emissions, the rights to which may be traded between businesses.)

At the forefront of debate among officials and legal scholars is the use of criminal rather than civil and administrative sanctions in environmental law. DiMento (1986), Hawkins (1984), and others mentioned above discuss this dimension of enforcement and point out the major advantages and disadvantages of the relatively infrequently used criminal approach. As has been seen generally in the growth of criminal prosecutions for white-collar and corporate crimes, environmental prosecutions have grown in volume as environmental statutes increasingly include criminal provisions, and prosecutors become more aggressive in applying existing criminal law. For an overview of the issues surrounding criminal prosecution see DiMento (1986), Allen (1987), McMurray and Ramsey (1987), or Leon (1989).

The civil suit and regulatory order are perhaps the more common forms of legal action in environmental law enforcement. A number of related issues may be included in your discussion of environmental social control; citizen initiated public trust suits, toxic tort litigation, mediation, and application of environmental law to governmental facilities, such as the Hanford, Washington defense facilities. The EPA produces an annual *Enforcement Accomplishments Report* which includes summaries of significant cases, some of which may be useful for class. A number of journals are also good sources for discussion of recent cases; specifically, the *National Environmental Enforcement Journal* and *Environmental Law Reporter.*

4. Pollution

Among the substantive areas one should discuss regarding environmental law are air and water pollution. Much environmental regulation, enforcement, litigation, and social protest activity revolves around fundamental problems of pollution. Although pollution may be broadly defined to include problems such as noise, work environments, and aesthetics, air and water contamination form the crux of most state, federal, and international law.

Contemporary problems such as acid rain, ozone depletion, global warming, and drinking water contamination are best framed within the context of the major statutes. The Clean Air Act and Water Pollution Prevention and Control Act (the "Clean Water Act") both establish a complex system of regulation and water/air standards, administered primarily through the EPA. It is crucial that students understand what the laws are designed to regulate and how they are im-

plemented before specific pollution problems are tackled. Texts such as Firestone and Reed (1990) or the *Environmental Law Handbook* provide background information on these laws.

Of particular interest for pedagogical purposes are specific pollution problems. Delving into studies of acid rain or ozone depletion, for example, will find you crossing the border into the world of natural science because it is difficult to discuss many pollution problems without a basic understanding of science and ecology. You will inevitably find yourself using a new vocabulary including such terms as "point source pollution," "ppm," "CFC's," and "emissions trading."

To bridge the gap between law and science it may be useful to seek out some of the more recent "popular" works which attempt to present complex environmental problems in ways that the less scientifically inclined can understand. Asworth's (1987) discussion of the Great Lakes history, ecology and pollution problems; Brown's (1987) discussion of wind patterns, and the history and causes of air pollution; and Fisher's (1990) examination of a variety of global environmental problems are useful. Given the rather complex nature of pollution problems, it may be useful to consult with colleagues from other disciplines and perhaps have a guest lecturer for these subjects.

The international nature of pollution also merits attention; it is increasingly evident that pollution has global implications. One approach is to introduce the environmental law of other nations, particularly emphasizing the dilemmas faced by developing nations. A second approach is to examine the nature and extent to which international law may be used to regulate pollution and attack broader environmental problems. A few resources, among many, that may be useful are Ross and Silk's (1987) examination of Chinese environmental law, Ramakrishna's (1985) case study of India, Caldwell's (1990) comprehensive volume on international environmental policy, and Schwabach's (1989) case study of the Sandoz spill and toxic contamination of the Rhine river. Caldwell's volume is the most comprehensive and is perhaps a reference of first choice if you wish to examine international environmental policy.

5. Solid and Hazardous Wastes

Related to pollution and worthy of separate treatment as legally and conceptually distinct problems are solid and hazardous wastes. An important series of legal, social and technical dilemmas confront all levels of government as the search for solutions to the problem of "safe" waste disposal continues. It is important that any discussion of environmental law include the evolution of waste disposal regulation from local ordinances and civil nuisance suits to federal involvement in safe disposal and resource recovery, beginning with the Solid Waste Disposal Act (1965) and Resource Recovery and Conservation Act (1976). Federal involvement for other than hazardous waste has been "facilitative" in that it has provided assistance and funds to apply new technologies (e.g. lined landfills) to solid waste, rather than administer a disposal system, which essentially remains a state and local responsibility.

In order to better understand the legal and ecological problems of solid waste disposal, a good background in the nature and characteristics of solid waste and "trash streams" is necessary. Among the best known solid waste archaeologists is William L. Rathje, who has written several books and articles which examine the social nature and archeology of waste, landfill characteristics and a variety of myths about landfills, many of which the public and lawmakers hold to be truth! (See Rathje 1984 and 1989.) Rathje's work underscores the fact that knowledge of waste characteristics and alternative disposal methods is a necessary prerequisite of sound socio-legal analysis, and a goal of environmental education.

Garbage archeology aside, the problems of who takes the trash, where it will be landfilled, and by whom have spawned a number of noteworthy legal issues such as regulation of interstate trash transfer and redistribution of costs for proper operation and landfill closings. The dimension of solid waste and resource recovery most familiar to contemporary students is likely to be recycling, which is also increasingly mandated by law (e.g. bottle bills) and local ordinances.

Hazardous wastes (which may cause increases in mortality and illness, or may pose a substantial hazard to human health or the environment [see Firestone and Reed, 1983:136] constitute the more serious and often deadly dimension of waste disposal. Pesticides are equally hazardous but are treated separately under the law, although they are conceptually similar and may pose a greater threat to the environment and human health (especially farm labor) than some legally defined hazardous wastes.

Hazardous waste legislation has become to some degree part of the national environmental lexicon. Most persons have heard of the "Superfund" and federal attempts to clean up severely contaminated sites, but are unaware of its statutory source. The major legislation regarding hazardous wastes are the Comprehensive Environmental Response, Compensation, and Liability Act of 1980; Superfund Amendment and Reauthorization Act (SARA), and the previously mentioned Resource Recovery and Conservation Act (RCRA). Environmental law handbooks and texts generally provide a good summary of the major features of these laws and key interpretive cases. The periodical literature is also a good source for summaries and evaluations, such as Jones and McSlarrow's (1989) legal analysis of Superfund case law from 1981–1989.

Hazardous waste disposal is relatively new and constantly evolving, primarily because the discovery of new threats to the environment and health have outpaced development of new disposal options (see Epstein et al. 1982). However, it is important to emphasize that hazardous waste disposal is as much of a social and economic problem as it is a technical problem. Love Canal and Times Beach stand as infamous monuments to our toxic past. Liability for contamination and resulting damages and cleanup has expanded with CERCLA and SARA, making disposal an expensive and sometimes risky business.

The nature of the materials involved and regulatory requirements facilitate innovative and sometimes unethical and illegal means of disposal. Hazardous waste is controlled by

elaborate "cradle to grave" regulations designed to monitor its creation, use, transportation, and disposal/storage, as required by the RCRA and concomitant state laws. Most have heard of the "midnight dumper" and other less scrupulous waste disposal operators who avoid these laws by illegally dumping wastes into city sewers, rivers and rural areas. However, a significant question to tackle is the extent to which more "legitimate" businesses are involved in illegal activity, either directly or through disposal companies which operate illegally (see Block and Scarpitti, 1985; Szaz 1986).

Solid and hazardous waste is an international problem of increasing concern. Many U.S. companies send toxic and hazardous substances to "third world" nations for disposal or recovery because those countries generally lack the rigor of U.S. regulation. A recent proposal by the Marshall Islands to accept solid waste from the U.S. raises some questions which cut to the heart of environmental and political philosophy (see Firestone and Reed, 1990 supp.). An excellent resource which I used in my class to introduce this subject is the Bill Moyers film, *Global Dumping Ground* (1990).

6. Accident and Risk

A number of environmental law issues generally fall together under the umbrella concept of environmental accidents and risks. Analysis of environmental accidents and related risks is often easily accomplished through case studies, and provides opportunities to introduce relevant environmental laws and regulatory mechanisms.

Environmental law essentially involves the management of risk. Law does not ban or prohibit pollution and other encroachments on the environment, rather, it provides tolerance limits. How we define acceptable risk and "accidents" are legally and socially crucial questions. How do we differentiate between reasonably expectable outcomes and accidents? What is the state of technology and how much risk should be tolerated under the best available technology (BAT) or best practicable technology (BPT)? What is the role of law in both preventing injuries or "accidents" and providing legal remedies for their aftermath? Each of these questions addresses issues at the core of incidents such as the Bophal chemical catastrophe, massive Exxon Valdez oil spill or Three Mile Island nuclear accident.

Several works are available which investigate the nature of technology, risk assessment, and ostensibly, the environment. Gaskins (1989) provides a detailed critical analysis of the nature of environmental accidents and various legal-institutional mechanisms by which they are processed. Perrow (1984) more generally evaluates the technology and risks of various "complex" systems (nuclear, aviation, chemicals, etc.) and offers suggestions for interpreting risk and relevant policy implications. Finally, Clarke (1989) presents a case study of toxic contamination in a state office building (Binghamton, New York) to examine the organizational nature of risk assessment and a sociology of risk. Each of these volumes are worthy of examination should you wish to study risk and accidents.

Any number of memorable environmental accidents and catastrophes may be productively used for pedagogical purposes. Among the most recent (excluding devastation from the war with Iraq) and widely publicized have been oil spills, especially the Exxon Valdez. Background information on that disaster is widely available; Davidson (1990) has written a journalistic account that provides interesting reading and the necessary factual background. In a more critical article, Clarke (1990) argues that the contention that oil spills may be contained and cleaned up is "fantasy" which avoids more crucial questions about the regulation of oil transport and the preventability of such accidents. Case studies are useful for illustrating the social, economic and political dimensions of what are frequently viewed as technical failures.

In this section I have attempted to focus the broad area of environmental law into six core areas: philosophy of law, law creation, social control, pollution, solid and hazardous wastes, and environmental risks and accidents. These areas are not exhaustive or exclusive; a variety of issues that may be lumped under environmental law were not addressed (e.g., population growth or land use regulation). Environmental law is a broad conglomeration of issues, ultimately related to most other types of law; the degree to which these issues are introduced in existing law and society courses is perhaps a direct function of time, rather than limits in the literature.

Problem Number Four: Instructional Techniques

A fourth and final problem is to determine which techniques may best introduce the core concepts and issues in environmental law. A major consideration in the choice of materials and strategy will be the level of knowledge collectively possessed by the class. With some exceptions, most of your students will either know nothing at all about environmental law or will believe that extant law adequately protects the environment!

It is a good idea to determine just how much your students know or do not know about the environment and environmental law. One technique often used with other material is to give a "pre-test" to measure environmental knowledge levels. The pre-test also serves well to introduce the subject and stimulate discussion by showing just how much students don't know.

When teaching environmental law for the first time, also realize that you are not an expert. Therefore, I would suggest that guest speakers or "experts" in other disciplines (e.g. engineering, business, natural science) be used where possible. You may also develop a good debate if opposing perspectives are well presented and the speaker is open to the idea. I had several guest speakers appear in class and at two well-received talks open to the larger university community.

Environmental law provides a good opportunity for field trips, exercises, and projects. Issues of cost, the enormity of problems, and the ability to control the environment may be made tangible by a trip to a pollution treatment facility, court case, or landfill. An exercise which does not require leaving campus is to have students collect and carry around with

them all of the solid waste they generate in a day or two; most students begin to understand the problem of solid waste in terms of production, transport and disposal! I was pleasantly surprised to have a number of my students become involved in a campus-wide recycling effort after studying solid waste and hearing a member of the engineering faculty speak about recycling in class.

Video resources are also a practical method of introducing key environmental issues. A recent film by Bill Moyers and the Center for Investigative Reporting (*Global Dumping Ground*) generated extensive debate and interest in the class. This relatively inexpensive film ($32.50) is an excellent choice in that it analyzes hazardous waste as an international problem and questions the ability and responsibility of the U.S., as an industrial power, in controlling dangerous wastes. Most major university film collections and educational producers such as PBS video have a variety of environment-related films available for rent or purchase.

Reflections and Conclusions

My initial encounter with environmental law has been informative and refreshing. I highly recommend that some aspect of this body of law be incorporated into the standard law and society course; this "new" facet of law challenges our broader understanding of law and its behavior. Comprehensive environmental law is relatively new, and as such is going through an exciting and constant redefinition as basic questions about rights, duties, and the limits of legal regulation are established.

The recognition and development of new environmental problems, in the U.S. or internationally, guarantees that environmental law will be an increasingly important part of the legal landscape; therefore, it is critical that substantive environmental issues be presented in the undergraduate curriculum. Many students will graduate and undertake careers that will in some part be touched by environmental law, making it important that the central issues of the law be made conscious.

A law and society course is a good place to introduce basic environmental concepts as well as law. It is also a good place to illustrate that understanding the law may require more than technical knowledge about the law itself. It is important that we know how the law works in all areas; this is especially so if social science is to contribute to an area dominated by the "hard" sciences. Law and science are often companion threads in the fabric of social life; the environment is one stage upon which this relationship may be presented.

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SUGGESTIONS FOR FURTHER READING

General Background Reading, History and Ecology

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